

RESOLUTION NO. 2154

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GOLDEN AUTHORIZING THE HIRING OF A SPECIAL LEGAL
COUNSEL REGARDING AN APPEAL OF A SALES/USE TAX
FINAL ASSESSMENT BY THE CITY FINANCE DIRECTOR**

WHEREAS, Section 9.1 of the City's Charter provides that City Council shall appoint and establish the compensation for special counsel; and

WHEREAS, on September 2, 2011, the City's Financial Director issued a Final Assessment to the Coors Brewing Company, Rocky Metal Containers, and Miller Coors (collectively "Coors") with respect to a use tax audit for the period from January 1999 through December 2008; and

WHEREAS, on September 30, 2011, Coors filed an appeal of Mr. Hansen's decision to the Jefferson County District Court; and

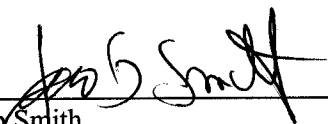
WHEREAS, Tom Merrigan, of Berg, Hill, Greenleaf and Ruscitti has previously represented the City successfully in appeals in sales and use tax matters.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

1. Pursuant to Section 9.1 of the City's Charter, Tom Merrigan of the firm of Berg, Hill, Greenleaf and Ruscitti, is hereby appointed to act as special counsel in the matter of the appeal filed by Coors Brewing Company, Rocky Metal Containers, and Miller Coors, against the City of Golden.

2. The compensation for the firm of Berg, Hill, Greenleaf and Ruscitti, special counsel for sales and use tax litigation described above, shall be established as follows: Thomas Merrigan and his partners, \$225 per hour and \$200 per hour for associates.

Adopted this 20th day of October, 2011.



Jacob Smith
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:

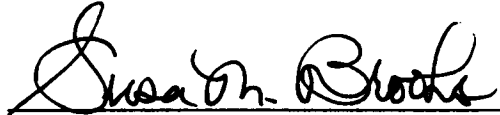


David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular business meeting thereof held on the 20th day of October, A.D., 2011.

(SEAL)

ATTEST:



Susan M. Brooks, City Clerk of the City of
Golden, Colorado